

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

WILLIAM T. ROWSE ET AL.

Group Art Unit: 3629

Examiner: Jonathan Ouellette

Serial No.: 09/683,885

Filed: February 27, 2002

For: METHOD SYSTEM AND SOFTWARE FOR TRANSMITTING
DIGITAL MEDIA BETWEEN REMOTE LOCATIONS

Attorney Docket No.: 81080947

**RESPONSE TO NOTIFICATION OF
NON-COMPLIANT APPEAL BRIEF**

Mail Stop Amendment
Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Non-Complaint Appeal Brief mailed October 1, 2008, Applicants respectfully request reconsideration in view of the following remarks.

Remarks

The Examiner has stated that "The Applicant failed to provide a concise explanation for each of the separately argued dependent claims." Notification of Non-Compliant Appeal Brief, October 1, 2008. 37 C.F.R. § 41.37(c)(1)(V), however, provides that:

A concise explanation of the subject matter defined in each of the independent claims involved in the appeal, which shall refer to the specification by page and line number, and to the drawing, if any, by reference characters. For each independent claim involved in the appeal and for each dependent claim argued separately under the provisions of paragraph (c)(1)(vii) of this section, every means plus function and step plus function as permitted by 35 U.S.C. 112, sixth paragraph, must be identified and the structure, material, or acts described in the specification as corresponding to each claimed function must be set forth with reference to the specification by page and line number, and to the drawing, if any, by reference characters.

The dependent claims argued separately in the Appeal do not include means plus function or step plus function as permitted by 35 U.S.C. 112, sixth paragraph. No summary of the separately argued dependent claims is believed to be necessary.

Respectfully submitted,

WILLIAM T. ROWSE ET AL.

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Date: October 30, 2008

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